

**In re the Application of BARRY DOUGLAS ARMOUR
U.S. Appln. No. 10/531,488
Attorney Docket No. 0074-516912**

REMARKS

The Applicants request that the Examiner reconsider the rejections set forth in the ~~Final~~ Official Action in view of the foregoing amendments and the following remarks.

In the Official Action, the Examiner rejected Claims 1-26 under 35 USC 112, second paragraph. In making the rejection the Examiner asserted that the claims were indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner went on to explain that the phrase “tilts forwardly relative to the ground” rendered the claims so unclear that they could not be examined relative to the prior art.

The Applicant’s attorney acknowledges the Examiner’s participation in the telephone interview on December 9, 2008. As discussed with the Examiner, and as set forth in the Interview Summary, the Examiner indicated that he understood the Applicant’s attorney’s explanation of the structural and functional features of the Applicant’s claimed truck as now set forth in the claims.

It is believed that the claims are sufficiently definite to meet the requirement of Section 112, second paragraph. More particularly, Claim 1 describes that the truck chassis has an “initial orientation relative to the ground”, that “the cab is at a forward end of the truck”, and that “the chassis tilts forwardly from the initial orientation”.

No new matter is added because written support for the amendments can be found in the drawing figures and the corresponding text of the specification. More specifically, Figure 10 shows an embodiment in which a truck according to the invention has an initial orientation (horizontal) relative to the ground. Figures 3, 4, and 10-13 show embodiments of trucks according to the invention in which the cabs are located at the forward ends of the trucks. Further, Figures 4, 12a, and 12b show embodiments of trucks according to the invention in which the chassis are tilted forwardly relative to the initial orientation.

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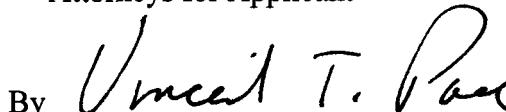
Similar features have been added to Claim 20, 21, and 24. Therefore, it is believed that those claims now meet the requirements of the second paragraph of Section 112.

CONCLUSION

There being no other rejections set forth in the Official Action, it is believed that the claims of this application are in condition for allowance. The Applicants respectfully request that the Examiner reconsider the rejections of the claims in the light of the amendments and remarks presented herein. If any issue raised in the Official Action somehow remains outstanding, the Examiner is requested to contact the Applicant's attorney.

Respectfully submitted,

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